

Marshall Islands (Tier 2 Watch List)

The Government of the Republic of the Marshall Islands (RMI) does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. These efforts included funding an international organization to provide some anti-trafficking training to officials and an NGO to provide free legal advice and support to victims. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. In June 2018, local media alerted police to a brothel with potential child sex trafficking victims and alleged complicity of high-ranking government officials in the brothel's operation. The police reportedly took no action until after the local newspaper published the story; the police investigation remained ongoing at the end of the reporting period—nine months later. The government did not report efforts to identify these girls as trafficking victims or any other trafficking victims and did not report providing assistance to any potential or confirmed victims during the reporting period. The government did not report any investigations, prosecutions or convictions of government officials complicit in trafficking and it had not prosecuted or convicted any traffickers since 2011. Therefore the RMI was downgraded to Tier 2 Watch List.

PRIORITIZED RECOMMENDATIONS:

Increase efforts to vigorously investigate, prosecute, and convict traffickers, including complicit officials, and sentence traffickers to adequate penalties. • Disseminate and employ proactive procedures to identify trafficking victims among all vulnerable groups, such as women in commercial sex and foreign fishermen, and train officials on their use. • Train law enforcement and prosecution officials to implement the anti-trafficking laws. • Strengthen efforts to administer and fund protective services for victims in cooperation with NGOs and international organizations and ensure potential victims are proactively offered services while their case is investigated. • Develop a current national action plan on trafficking and implement it. • Develop and conduct anti-trafficking education and awareness-raising campaigns. • Undertake research to study human trafficking in the country. • Accede to the 2000 UN TIP Protocol.

PROSECUTION

The government decreased law enforcement efforts. The Prohibition of Trafficking in Persons Act of 2017 criminalized sex trafficking and labor trafficking and prescribed penalties of up to 15 years' imprisonment, a fine of up to \$10,000, or both if the victim was an adult, and up to 20 years' imprisonment, a fine of up to \$15,000, or both if the victim was under age 18. These penalties were sufficiently stringent and, with regard to sex trafficking, commensurate with other serious crimes, such as rape. In June 2018, local media uncovered alleged child sex trafficking of Marshallese girls at a brothel and alleged complicity of high-ranking government officials in its operation. Despite the journalist alerting police to the potential child sex trafficking, the police reportedly took no action until after the local newspaper published the story. At the end of the reporting period, the government reported the investigation remained ongoing and did not report the outcome of two investigations into child sex trafficking initiated in the previous year. The government had not reported any trafficking prosecutions or convictions since 2011. The government acknowledged a need for improved technical capacity for law enforcement on investigative and surveillance techniques and for prosecutors on case management and court filing procedures. Despite reports of alleged official complicity, the government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking. The government funded an international organization to train immigration, police, customs, and maritime surveillance officers in November 2018 on migrant smuggling, human trafficking, and the provision of assistance to vulnerable migrants.

PROTECTION

The government decreased efforts to protect victims. While the government had standard operating procedures for the identification of victims, the government did not report employing such procedures or identifying any victims, compared with the identification of one child sex trafficking victim and one potential victim during the previous report period. The government, with non-governmental, faith-based and international organizations, could provide protective services to victims; however, it did not provide such services to any potential or identified trafficking victims during the reporting period despite local media reporting potential child sex trafficking victims. Government-provided services included counseling, legal assistance, testing for sexually transmitted diseases, and accessible services for victims with disabilities. The government had a memorandum of understanding

with an NGO to assign female victims between ages 14 and 18 to survivor support services and place them in a network of approved safe houses. The Ministry of Internal Affairs assumed supervision of all other child victims and continued to fund two social workers whose duties included coordinating assistance to trafficking victims, among others. Adult victims were provided shelter by NGOs and were able to leave safe houses or shelters unchaperoned unless it was determined that doing so might put them in danger. The government contributed \$93,000 to an NGO to provide free legal advice and support to victims, including trafficking victims; the same amount as during the previous reporting period. The government did not provide long-term alternatives to removal to countries where victims may face hardship or retribution.

PREVENTION

The government decreased efforts to prevent trafficking. The National Task Force on Human Trafficking (NTHT) encompassed a wide array of government, NGO, and international organization members and led the government's anti-trafficking efforts. While the NTHT reportedly remained engaged, observers identified a need for increased coordination and information sharing between agencies to ensure the appropriate authorities took action on suspected cases of trafficking. The government's national action plan expired in 2017; during the reporting period, the government took steps to renew the plan but did not finalize it. In contrast to the previous year, when the government conducted awareness campaigns that reached more than 2,400 people, the government did not report conducting any new or ongoing awareness campaigns. However, the government did co-host and publicize a film showing and public awareness event, with a foreign government, to coincide with the UN's World Day against Trafficking in Persons. The government continued to take measures to prevent the commercial sexual exploitation of vulnerable populations by prohibiting unauthorized visitors on board licensed foreign fishing vessels docked in Majuro and issuing immigration day passes for most crewmembers that mandate they return to their ship by the evening. The government did not take steps to reduce the demand for commercial sex acts or forced labor. The RMI is not a party to the 2000 UN TIP Protocol.

TRAFFICKING PROFILE

As reported in the past five years, human traffickers exploit domestic and foreign victims in the Marshall Islands, and traffickers exploit Marshallese victims abroad.

Traffickers exploit East Asian and Marshallese girls in sex trafficking in the RMI. Hotel and bar staff and family members recruit and transport women and girls and exploit them in sex trafficking with foreign construction workers and crewmembers of foreign fishing and transshipping vessels that dock in Majuro. Observers report commercial sexual activity involving foreign fishermen has increasingly moved from fishing vessels to local bars and hotels. Traffickers also exploit some of these foreign fishermen in conditions indicative of forced labor on ships in Marshallese waters. Traffickers compel foreign women, most of whom are long-term residents of RMI, into prostitution in establishments frequented by crewmembers of Chinese and other foreign fishing vessels; some traffickers recruit Chinese women with the promise of other work and, after paying large recruitment fees, they force them into prostitution. Some wealthier or more powerful family members used traditional cultural practices to exploit impoverished Marshallese from outer islands to serve as indentured labor on their property. Limited reports indicate some Marshallese searching for work in the United States experience indicators of trafficking, such as passport confiscation, excessive work hours, and fraudulent recruitment. Some Marshallese children are transported to the United States, where they are subjected to situations of sexual abuse with indicators of sex trafficking.